

# ***Beaverhead Conservation District***

## ***Meeting Minutes***

Thursday, September 21, 2023

### **Call to order**

Byron Martinell called to order the regular meeting of the Beaverhead Conservation District at 6:15 pm on September 21, 2023 in the NRCS office.

### **Roll call**

**The following persons were present:** Byron Martinell, Tom Miller, Billiette Brooks, Harris Wheat, Rich Nordquist, Jess Fields, Sean Lewis, Matt Jeager, Catey Bauer, and Stephanie Criswell. **Conference Line:** Hailey Graf, Jessica Murray

**Absent:** Carl Malesich, Jerry Meine, Kelly Rowe, JS Turner, Zach Owen, and Meg Smith  
*Motion to excuse absences by Tom 2<sup>nd</sup> by Rich, motion carried.*

### **Approval of minutes from last meeting**

*Motion to approve the August minutes by Harris 2<sup>nd</sup> by Rich, motion carried.*

### **Summary of Finances.**

- *Motion to approve summary of finances for August by Tom 2<sup>nd</sup> by Billiette, motion carried.*

**DNRC** – Catey Bauer and Stephanie Criswell discussed Catey's background and position as the new Western CD specialist, updates to different grant programs, and funding forum. The funding forum entailed strategic planning, funding survey results, conservation district needs now and in the future. She also explained what it means to have a constitutional trust, the money that is put in the trust is protected and it would take a unanimous vote to get the money reallocated. It will take a couple years to fill the trust but getting the trust is a huge legislative accomplishment.

**NRCS** – Sean gave updates on office staffing. Sara will be taking the DC position is Sheridan since John took a position in Hawaii. October 27<sup>th</sup> is the sign-up deadline.

### **310 Business**

- **310 Rules- Beaver Dam Analogs**  
Our last meeting raised concerns about beaver dam analogs needing a 310 permit since they were small and did not use any heavy equipment. Hailey Graf informed us they do require a permit because they drastically change a creek. We do have the option to make is so they do not require a permit by changing our 310 rules, the board chose not to go

this route because we want to ensure BDAs are installed correctly and in the right areas.  
We will work on making sure that organizations know that BDAs need 310 permits.

### **Beaverhead – Matt Jaeger**

- BCD 2219 Huntsman Ranch, Beaver Dam Removal, Hell Roaring Creek, Renewal  
The original permit doesn't expire until the end of October but they want to make sure they have time to remove the beaver dams next time they're up at the cabin.  
*Motion to extend the permit expiration one year by Tom 2<sup>nd</sup> Billiette, Motion carried.*
- BCD 2224 Hren Ranches, Emergency Fence Removal, Blacktail Creek, After Photos
- BCD 2305 JB Anderson, Flooding Mitigation, Blacktail Creek, Violation  
The land owner has been calling a couple times a month to check on the progress of this project, so far, no progress has been made, the permit is active and last time JB was in the office he was working on the other necessary permits. There is concern that he may be trying to drop the neighbor's property value by making this take as long as possible. This project is a violation because the emergency application was not turned in on time despite reminders from the district. The board has decided to send JB Anderson a violation letter saying that the project must be completed by May 18<sup>th</sup>, 2024 with all necessary permits per our adopted rules or a \$500 per day fine (not to exceed \$15,000) will be assessed. We will assess a civil penalty and work with our County Attorney to apply judicial enforcement. The letter will also state that Army core permits can take 60 days so proper planning on JB's part is necessary and there has been plenty of time to get permits and hire engineers. If the work is not done by the deadline the board would like to require engineered plans and the work to be done by a contractor.  
*Motion to find in violation for failing to submit the notice of emergency within 15 days by Tom 2<sup>nd</sup> Billiette, motion carried.*
- BCD 2312 Huntsman Ranch, Beaver Dam Removal, Rip Rap, Hell Roaring Creek, Tabled, FWP may end up doing the work through a cooperative agreement so a 310 is not necessary at this point.
- BCD 2313 Cole Cottom, Diversion Replacement, Horse Prairie Creek, North Site  
The current structures are at least 40 years old and although they could make it one more year they will need replaced soon. They need 10ft wing walls, a floor, and 3ft cutoff wall with 4 ft posts to they hold up well.  
*Motion to approve with modifications by Tom 2<sup>nd</sup> Billiette, motion carried.*
- BCD 2314 Cole Cottom, Diversion Replacement, Horse Prairie Creek, South Site  
The current structures are at least 40 years old and although they could make it one more year they will need replaced soon. They need 10ft wing walls, a floor, and 3ft cutoff wall with 4 ft posts to they hold up well.  
*Motion to approve with modifications by Tom 2<sup>nd</sup> Billiette, motion carried.*
- BCD 2315 Dustin Hirschy, Headgates, West Peterson Creek  
A design is needed before the permit can be fully approved.  
*Motion to approve with modifications by Harris 2<sup>nd</sup> Billiette, motion carried.*
- BCD 2316 Lance Jensen, Culvert, West Fork of Little Sheep Creek, Complaint  
Jess was able to talk to Lance, he forgot about a 310 permit and was just doing the work while he had equipment up there. This is a violation and will need a vote at the next meeting after we have done a site visit. Because it is a violation, we will be sending a violation letter but will not be assessing a fine unless we do not get a permit soon.



- BCD 2317 Dustin Hirschy, Headgates, Bloody Dick Creek  
A design is needed before the permit can be fully approved.  
*Motion to approve with modifications by Billiette 2<sup>nd</sup> Harris, motion carried.*

### **Big Hole - Jim Olsen**

- BCD 2311 Complaint, 5 small dams on Odell creek that leads into Wyman Creek, and then Wise River.  
This is a violation but we were unable to determine who the violator is, until additional information comes forward this is closed.

### **Beaverhead Watershed Grants**

- Zach was unable to attend the meeting. His update included signing the contract for the Stone Creek Nutrient Wetland, waiting on the contract for the Grasshopper Creek project, and being awarded the 5-year BLM Cooperative agreement. He attended the High Divide Collaborative meeting in Butte and presented BCC, him and Byron went on a tour of Nicholia creek and Lima Peaks WSAs, and he attended the DNRC stakeholder group to give input on grant programs. He also advertised a request for quotes for the Grasshopper project and will need a couple people to be on the review committee.
- *Motion to approve Watershed finances for August by Tom 2<sup>nd</sup> by Billiette, motion carried.*

### **Administrator Report**

- We have had 3201 inspections so far this year and 966 of them were high risk. We have done 155 decontaminations; these range from full mussel fouled deacons to plant removal deacons. We are up to 14 mussel boats, and one more that has yet to be identified, it has blue tinted mussels that are about quarter sized.
- I attended SET training, got the contract signed for the Sagebrush Partnership employee, advertised the position, and have doing legal research to update our model rules.
- We will be conducting interviews for the invasive annual grasses position at the beginning of October and have not set a date yet.
- We will be conducting exit interviews for our boat inspectors on October 26<sup>th</sup>, a schedule is not set yet.

### **Old Business**

### **New Business**

- Resolutions - There are no area 6 resolutions so we will discuss the rest of the resolutions at the October Meeting.
- Strategic Planning Homework – We are working on getting a strategic plan and annual plan in order because DNRC will be requiring it on grant applications in the future, a questionnaire was handed out to see what each board members interests and areas on concern are, they will be worked into the strategic plan.

- DNRC report- Hailey Graf (Attached)  
This is the last one by Hailey, next month Catey Bauer will take over.

### Upcoming Events

- Area 6 Meeting – September 28<sup>th</sup>, 2023
- Cheatgrass Management Workshop – October 10<sup>th</sup>
- Sustainable Ranching Workshop – October 11-12<sup>th</sup>
- Next meeting date- October 26<sup>th</sup>, 2023

### Public Comment

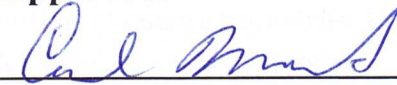
- No public in attendance.

### Adjournment

*Meeting Adjourned at 9:00 pm*

Minutes submitted by: Jessica Fields

### Approved:

  
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Byron Martinell, Chairman  
Carl Malesick Vice